



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MAR 03 2005

Mr. Carl Goldberg
Treasurer
Menendez for Congress
P.O. Box 848
Union City, NJ 07087

RE: MUR 5279

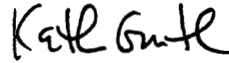
Dear Mr. Goldberg:

In a letter dated August 19, 2004, I notified your committee's then-Treasurer, John Palumbo (now Assistant Treasurer), that on June 22, 2004, the Federal Election Commission entered into a conciliation agreement with Charles Kushner and 40 Associated Partnerships regarding over \$500,000 in improper federal political contributions that violated Commission partnership contribution regulations because the partnership failed to obtain the agreement of the partners to whom the contributions were attributed, pursuant to 11 C.F.R. § 110.1(e)(2). I informed Mr. Palumbo that some of these contributions were made to your Committee during the 1999-2000 election cycle and I provided him with a list of the impermissible contributions received by your committee. I have enclosed my original correspondence to Mr. Palumbo for your convenience.

Menendez for Congress Committee was not a respondent in that matter. However, as I explained to Mr. Palumbo in my previous letter, if the treasurer determines that at the time a contribution was received and deposited, it did not appear to be illegal, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund or disgorge the contribution within thirty days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). See AO 1996-5. Please inform the Office of General Counsel within 15 (fifteen) days what steps you have taken to comply with your obligations pursuant to 11 C.F.R. § 103.3(b)(2) in connection with the funds specified on the enclosed list.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,


Kathleen Guith
Attorney

Encl.

25044110004



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUG 19 2004

Mr. John Palumbo
Treasurer
Menendez for Congress
P.O. Box 848
Union City, NJ 07087

RE: MUR 5279

Dear Mr. Palumbo:

On June 22, 2004, the Federal Election Commission entered into a conciliation agreement with Charles Kushner and 40 Associated Partnerships regarding over \$500,000 in improper federal political contributions. These contributions, some of which were made to your Committee, violated Commission partnership contribution regulations because the partnership failed to obtain the agreement of the partners to whom the contributions were attributed, pursuant to 11 C.F.R. § 110.1(e)(2). The contributions found to be in violation were made between December 5, 1997 and August 17, 2000 for the 1999-2000 election cycle. *See Attached List.*

Menendez for Congress Committee was not a respondent in this matter. The Commission reminds you, however, that the treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of legality. 11 C.F.R. § 103.3(b). Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be illegal, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund or disgorge the contribution within thirty days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). *See AO 1996-5.*

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kathleen Dutt".

Kathleen Dutt
Attorney

Enclosure
Contributor's List

25044110005

**Menendez for Congress
(Contributions)**

Contributor	Partnership/LLC	Date	Recipient Committee	Amount
Kushner, Rae	Oakwood Garden Developers	3/15/2000	Menendez for Congress	\$1,000
	Oakwood Garden Developers	3/15/2000	Menendez for Congress	\$1,000
Laulicht, Linda	Constantine Village Associates	3/15/2000	Menendez for Congress	\$1,000
	Constantine Village Associates	3/15/2000	Menendez for Congress	\$1,000
Stadtmauer, Richard	Elmwood V. Associates LP	3/15/2000	Menendez for Congress	\$1,000
	Elmwood V. Associates LP	3/15/2000	Menendez for Congress	\$1,000